

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

BARRY COSTA

: Case No. 3:21-cv-00063-MJN

Plaintiff,

: Judge Michael J. Newman

vs.

: Magistrate Judge Sharon L. Ovington

DAYTON-PHOENIX GROUP, IUE-

:

CWA, AFL-CIO LOCAL 755 and

:

ANTIJUAN DAVIS

:

Defendants.

STIPULATION OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff Barry Costa (“Costa”) and Defendants Dayton Phoenix Group (“DPG”), IUE-CWA, AFL-CIO Local 755 (“Local 755”) and Antijuán Davis (“Davis”) hereby stipulate as follows:

1. The parties agree that all of Costa’s claims against all Defendants will be dismissed with prejudice; and
2. The parties further agree that they shall bear their own attorneys’ fees and costs in this litigation.
3. Pursuant to *Kokkonen v. Guardian Life Insurance Company of America*, 511 U.S. 375, (1994), the parties stipulate that the Court shall retain jurisdiction to enforce the terms of any settlement agreement.

IT IS SO STIPULATED.

Respectfully submitted,

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